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IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/DE2003/003765
International Filing Date : 7 November 2003 (07.11.2003)
Priority Date(s) Claimed : 7 November 2002 (07.11.2002)
Applicant(s) (DO/EO/US) : Gordana VUNJAK-NOVAKOVIC et al.

Title: A METHOD FOR THE TREATMENT OF AFFECTED, DEGENERATED OR DAMAGED TISSUE, USING in vitro PRODUCED THREE-DIMENSIONAL TISSUE IN COMBINATION WITH TISSUE CELLS AND/OR EXOGENOUS FACTORS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☒ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- ☐ a final rejection under 37 C.F.R. 1.113;
 - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR

- ☐ a notice of allowance under 37 C.F.R. § 1.311; and is accompanied by:
 - ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
 - ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- ☐ a final action under 37 C.F.R. § 1.113;
 - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - ☐ a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated March 16, 2004.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

[insert necessary translation here]

Other Information

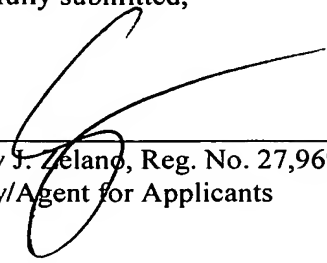
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☐ A check for \$ covering the fee identified above is attached.

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Respectfully submitted,



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Attorney Docket No.: GULDE-0047

Date: July 15, 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	USNP of PCT/DE2003/003765
		Filing Date	7 November 2003
		First Named Inventor	G.VUNJAK-NOVAKOVIC et al
		Group Art Unit	unknown
		Examiner Name	unknown
		Attorney Docket Number	GULDE-0047
Sheet	2	of	2

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Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	006	ANDERER et al.; "In vitro engineering of human autogenous cartilage" JOURNAL OF BONE AND MINERAL RESEARCH, vol. 17, no. 8, August 2002	
	007	OCHI et al.; "Current concepts in tissue engineering technique for repair of cartilage defect" ARTIFICIAL ORGANS, vol. 25, no. 3, March 2001	
	008	NISHIKORI et al.; "Effects of low-intensity pulsed ultrasound on proliferation and chondroitin sulfate synthesis of cultured chondrocytes embedded in Atelocollagen(R) gel" JOURNAL OF BIOMEDICAL MATERIALS RESEARCH, vol. 59, no. 2, February 2002	
	009	MEYER et al.; "Mechanical tension in distraction osteogenesis regulates chondrocytic differentiation" INTERNATIONAL JOURNAL OF ORAL AND MAXILLOFACIAL SURGERY, Denmark, December 2001, vol. 30, no. 6	
	010	BRITTBERG, et al.; "Autologous chondrocytes used for articular cartilage repair: an update." CLINICAL ORTHOPAEDICS AND RELATED RESEARCH, (2001 Oct.) (391 SUPPL) S337-48. Ref. 39	
	011	BRITTBERG et al.; "Treatment of Deep Cartilage Defects in the Knee with Autologous Chondrocyte Transplantation" NEW ENGLAND JOURNAL OF MEDICINE, THE MASSACHUSETTS MEDICAL SOCIETY, WALTHAM, MA, vol. 331, no. 14, 1994, pages 889-895	
	012	WIESMANN et al.; "Extracorporeal biophysical stimulation of osteoblast cultures for bone tissue engineering." TISSUE ENGINEERING, vol. 9, no. 4, August 2003, pages 796-797	

Examiner Signature		Date Considered	
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